

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36510

STATE OF IDAHO,)	2010 Unpublished Opinion No. 320
)	
Plaintiff-Respondent,)	Filed: January 25, 2010
)	
v.)	Stephen W. Kenyon, Clerk
)	
JEFFREY STORM FRANKS,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Judgment of conviction and suspended unified sentence of five years, with a minimum period of confinement of one year, for accessory to a felony, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GUTIERREZ, Judge
and MELANSON, Judge

PER CURIAM

Jeffrey Storm Franks was convicted of accessory to a felony, Idaho Code § 18-3601. The district court imposed a unified sentence of five years, with a minimum period of confinement of one year, suspended the sentence and placed Franks on supervised probation for five years. The district court also ordered that the sentence be served concurrently with a sentence in a separate case. Franks appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Franks's judgment of conviction and sentence are affirmed.